

**Enrolled Minutes of the Nineteenth Regular or Special Meeting
For the Twenty-Ninth Highland Town Council
Regular Plenary Meeting (Electronic)
Monday, September 14, 2020**

The Twenty-Ninth Town Council of the Town of Highland, Lake County, Indiana met in its regular plenary session on Monday, September 14, 2020 at 6:32 O'clock P.M. in the regular place, the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

This meeting was convened as an *electronic meeting*, pursuant to Governor Holcomb's Executive Order 20-04 and 20-09, an extended by Executive Order 20-41, allowing such meetings pursuant to IC 5-14-1.5-3.6 for the duration of the COVID-19 public health emergency. All persons met remotely on a Zoom platform that allowed for real time interaction, and supported the public's ability to observe and record the proceedings. When the agenda item provided for public comment, this was supported as well. Councilor Herak, while not required under the Governor's orders, was present on the premises of the plenary meeting room.

The Town Council President, Mark J. Schocke presided. The Town Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings. The meeting was opened with Councilor Roger Sheeman leading in the Pledge of Allegiance to the Flag of the United States of America.

Roll Call: Present on roll call were Councilors Bernie Zemen, Mark Herak, Mark J. Schocke, Thomas Black and Roger Sheeman. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

Additional Officials Present: (all electronically) John P. Reed, Town Attorney; Mark Knesek, Public Works Director; Pete Hojnicky, Police Chief; William R. Timmer, Jr., CFOD, Fire Chief; Alex M. Brown, PCR, CPRP, Superintendent of Parks and Recreation; Kathy DeGuilio-Fox, Redevelopment Director; and Kenneth J. Mika, Building Commissioner, were present.

Also present: Larry Kondrat, Richard Volbrecht, and Ed Dabrowski (electronically) of the Board of Waterworks Directors; Jon Breslin, and Liz Breslin of the Community Events Commission; Robyn Bradford and Renee Reinhart of the Redevelopment Commission; and Ed Dabrowski as IT (Contract) Director (electronically) were also present.

Guests: Theresa Badovich and Robin Carlascio of the Idea Factory were also present (electronically).

Minutes of the Previous Meetings: The minutes of the regular meeting of August 10, 2020, the Special Meeting of August 28, 2020 and the Special Meeting of August 31, 2020 were submitted for consideration. Councilor Zemen moved the approval of the minutes. Councilor Black seconded.

The Town Council President moved that the August 31, 2020 enrolled minutes, be modified to include in the minutes his prepared remarks that were read aloud at the Special meeting, to reflect that the Town Council President noted that Jim Kissee was a plan commission member, and that the roll call was conducted while the Town Council President was continuing to offer motions to amend. Councilor Black seconded the motion.

On the motion to modify the enrolled minutes of the Special Meeting of August 31, 2020, there were three negatives and two affirmatives. With Councilors Zemen, Herak and Sheeman voting in the negative and Councilors Black and Schocke voting in the affirmative, the motion did not pass. The modifications were not adopted.

Upon the original motion to adopt, there was a roll call vote. There were four affirmatives and one negative. With Councilors Zemen, Herak, Black and Sheeman voting in the affirmative, and Councilor Schocke voting in the negatives, the motion passed. The minutes of the regular meeting of August 10, 2020, the Special Meeting of August 28, 2020 and the Special Meeting of August 31, 2020 were approved.

Public Comments on Agenda Items:

1. Larry Kondrat, Highland, inquired about permitted uses of allocation areas, particularly regarding whether it could be used to reduce the amount needed to borrow to perform the refunding that is pending on the Lincoln Community Center Building Corporation First Mortgage Bonds and some of the Sanitary District Bonds.

It was noted that the suggestion was not an authorized use.

Communications:

1. The letter and report from the Complete Count Committee of the Town of Highland for the meeting of September 14, 2020 was acknowledged.

**HIGHLAND 2020 CENSUS COMPLETE COUNT COMMITTEE
Town Council Staff Report- September 14th Meeting**

Current activities include the following: Social media posts and "Shares" by other Department's social media outlets; Census flyers being distributed through the Highland Library; and, message placement on the September water bill and an article in the September Gazebo Express.

Highland households that have not responded should self-respond immediately, if they have not already done so, by going to 2020census.gov to respond online, respond by phone by calling 844-330-2020, by mail, or with a census worker.

The deadline for responding to the Census is still officially September 30th, though last week a federal court judge in one of the many ongoing Census-related court cases ordered the Trump Administration to stop preparations to conclude on September 30th, pending a hearing next week. The crux of much of the litigation is to restore the Census Bureau's earlier deadline of October 31st.

As for Highland's self-response rate, we are currently outperforming 2010 self-response rates town-wide and in five of Highland's six census tracts.

As of statistics obtained yesterday (September 9th), a 2010/ 2020 comparison of self-response rates to date, shows as follows:

Entire Town- 2010 Final Self-Response Rate- 80.6 %
2020 To Date- 81.4% (+0.8%)

#405.01- 2010 Final Self-Response Rate - 74.4%
2020 To Date- 68.6% (-5.8%)

#405.02- 2010 Final Self-Response Rate - 80.5%
2020 To Date- 81.5% (+1.0%)

#406- 2010 Final Self-Response Rate - 77.3%
2020 To Date- 80.8% (+3.5%)

#407- 2010 Final Self-Response Rate - 83.7%
2020 To Date- 86.6% (+2.9%)

#408.01- 2010 Final Self-Response Rate - 84.2%
2020 To Date- 87% (+2.8%)

#408.02- 2010 Final Self-Response Rate - 83.7%
2020 To Date- 85.9% (+2.2%)

Respectfully submitted,
Lance Ryskamp- Co-Chair

Staff Reports: The following staff reports were received and filed.

• **Building & Inspection Report for August 2020**

Permit Type	Number	Residential	Commercial	Est. Cost	Fees
Commercial Buildings:	1	0	1	\$751,356.00	\$216.00
Commercial Additions or Remodeling:	2	0	2	\$65,690.00	\$1,540.50
Signs:	2	0	2	\$10,095.00	\$901.50
Single Family:	0	0	0	\$0.00	\$0.00
Duplex/Condo:	0	0	0	\$0.00	\$0.00
Residential Additions:	0	0	0	\$0.00	\$0.00
Residential Remodeling:	90	90	0	\$724,280.00	\$18,263.00
Garages:	2	2	0	\$53,050.00	\$1,470.00
Sheds:	1	1	0	\$2,745.00	\$231.00
Decks & Porches:	14	14	0	\$88,463.00	\$4,915.50
Fences:	20	20	0	\$85,253.00	\$3,364.50
Swimming Pools:	2	2	0		\$216.00
DrainTile/ Waterproofing:	8	8	0	\$73,613.00	\$1,986.00
Miscellaneous	23	23	0	\$173,542.00	\$7,025.25
TOTAL:	165	160	5	\$2,028,087.00	\$40,129.25
Electrical Permits	14	10	4		\$2,058.00
Mechanical Permits	25	22	3		\$2,854.00
Plumbing Permits	11	10	1		\$1,746.95
Water Meters	1	0	1		\$760.00
Water Taps	0	0	0		\$0.00
Sewer/Storm Taps	0	0	0		\$0.00
TOTAL Plumbing:	12	10	2		\$2,506.95

August Code Enforcement:

Investigations: 093
 Citations: 007
 Warnings: 093

August Inspections:

Building: 57 Electrical: 12 Plumbing: 08 HVAC: 19
 Electrical Exams: 2

FIRE DEPARTMENT REPORT for AUGUST 2020

Type of Calls	August 2020	YTD
General Alarms	10	72
Paid Still Alarms	43	225
Still Alarms	6	44
Total Calls in 2020		341

• **Workplace Safety Report for August 2020**

There were no workplace incidents to report in August. The following report was filed.

Department	Injuries this Month	Year to Date 2020	Total in 2019	Restricted Days 2020	Lost Workdays This Year (2020)	Restricted Days Last Year (2019)	Lost Workdays Last Year (2019)
Parks	0	1	0	0	0	0	0
Fire	0	0	1	0	0	0	0
Police	0	0	4	0	0	0	0
Street	0	0	1	0	0	0	0
Water & Sewer	0	1	5	31	81	0	0
Maint.	0	0	1	0	0	14	2
Other	0	0	1	0	0	0	0
TOTALS	0	2	13	31	81	14	2

Effective January 1, 2002, OSHA changed the record keeping guidelines. The municipality now counts the number of days lost from the day after the injury until the employee returns to work. Weekend, holidays, vacation days or other days scheduled off are included in the lost days count to a maximum of 180 days.

Unfinished Business and General Orders:

- Enactment No. 2020-43:** An Enactment Appropriating Additional Monies in Excess of the Annual Budget From Monies Received as a Grant from the State or Federal Government, pursuant to I.C. 6-1.1-18-7.5, I.C. 36-5-3-5 et seq.

Councilor Herak introduced and moved the consideration of Enactment No. 2020-43 at the same meeting of its introduction. Councilor Sheeman seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The enactment could be considered at the same meeting of introduction.

Councilor Herak moved the passage and adoption of Enactment No. 2020-43 at the same meeting of its introduction. Councilor Sheeman seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The enactment was adopted at the same meeting of introduction.

**TOWN OF HIGHLAND
 APPROPRIATION ENACTMENT
 ENACTMENT NO. 2020-43**

AN ENACTMENT APPROPRIATING ADDITIONAL MONIES IN EXCESS OF THE ANNUAL BUDGET FROM MONIES RECEIVED AS A GRANT FROM THE STATE OR FEDERAL GOVERNMENT, PURSUANT TO I.C. 6-1.1-18-7.5, I.C. 36-5-3-5 ET SEQ.

WHEREAS, IC 6-1.1-18-7.5 provides that notwithstanding any other law, the appropriating body of a political subdivision may appropriate any funds received as a **grant** from the state or the federal government without using the additional appropriation procedures under IC 6-1.1-18-5, if the funds are provided or designated by the state or the federal government as a reimbursement of an expenditure made by the political subdivision;

WHEREAS, The Town Council has been informed of the receipt of funds from a Justice Assistance Grant of the **Bureau of Justice Assistance Bullet proof Vest Partnership** program, particularly represented on Clerk-

Treasurer's receipt number 676127 in the amount of \$2,002.50 as reimbursement in support of 2019-2020 Bulletproof Vest Partnership;

WHEREAS, The Town Council has been further informed that these funds were provided or designated by the state or the federal government as a reimbursement of an expenditure made by the political subdivision;

NOW, THEREFORE BE IT ENACTED by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That for the actual expenses of said municipality related to the acquisition of tactical level bullet armor (bulletproof vests) funded by Justice Assistance Grant of the **Bureau of Justice Assistance** to reimburse the municipality for fifty percent (50%) of its actual expenses incurred by the acquisition of tactical level bullet armor (bulletproof vests), and related costs the following additional sums of money, received as a grant from the state or the federal government and designated as a reimbursement of an expenditure made by the political subdivision, are hereby appropriated and ordered set apart out of the funds herein named:

MUNICIPAL CUMULATIVE CAPITAL DEVELOPMENT FUND

Increase Account:

Acct. 55-0000-23009 Bulletproof Vests	\$ 2,002.50
<i>Total 200 Series Increases</i>	\$ 2,002.50
Total of All Fund Increases:	<u>\$ 2,002.50</u>

Section 2. That in satisfaction and for the purposes of the provisions set out in I.C. 36-5-2-9.6, I.C. 36-5-3-5, I.C. 36-5-4-2, this enactment shall be deemed properly filed and introduced before the Town Council at a regular or special meeting, properly called and convened pursuant to I.C. 5-1.5-14 *et seq.*

Introduced and Filed on the 14th Day of September 2020. Consideration on the same day or at same meeting of introduction sustained a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this 14th Day of September 2020, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

/s/ Mark J. Schocke, President (IC 36-5-2-10)

Attest:

/s/ Michael W. Griffin, IAMC/MMC/CPFA/ACPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

2. Resolution No. 2020-41: A Resolution Approving an Interlocal Cooperation Agreement between the Incorporated Town of Highland and the School Town of Highland for the Utilization of School Resource Officer Program Services.

Councilor Zemen moved the passage and adoption of Resolution No. 2020-41. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

**TOWN OF HIGHLAND
TOWN COUNCIL RESOLUTION No. 2020-41**

A Resolution Approving an Interlocal Cooperation Agreement between the Incorporated Town of Highland and the School Town of Highland for the Utilization of School Resource Officer Program Services

WHEREAS, Indiana Code 36-1-7-1, *et seq.*, allows local government entities to make the most efficient use of the powers by enabling them to mutually utilize services for the mutual benefit of each other; and

WHEREAS, The Incorporated Town of Highland and the School Town of Highland, Lake County, Indiana are municipal corporations empowered by the aforesaid Interlocal Cooperation Act, as amended, with authority to contract with each other on a basis of mutual advantage so as to better provide public services and facilities at a shared cost; and

WHEREAS, The Incorporated Town of Highland and the School Town of Highland desire to enter into a joint agreement pursuant to IC 36-1-7-1, *et seq.*, to provide for the ability and flexibility to obtain for the Highland

Students certain gang resistance training, a heightened law enforcement presence in the local public schools as well as other related services for the mutual benefit of the participating entities, and at a shared cost,

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Highland, Lake County as follows:

Section 1. That a joint agreement, a copy of which is attached and incorporated herein by reference, among and between the Incorporated Town of Highland and the School Town of Highland entered into by the Town of Highland by and through its Town Council, this **24th Day of August 2020** is hereby authorized and approved in each and every respect;

Section 2. That the purpose of this agreement is to authorize and allow the Town Council of the Town of Highland and the School Board of Trustees to act as a joint board of the two participating entities to mutually support and utilize certain specified services associated with the **School Resource Officer Program** for the mutual benefit of the participating entities at shared costs;

Section 3. That the Clerk-Treasurer of the Town of Highland is hereby authorized to execute the duties related to the payment, collection and accounting for all moneys of this joint undertaking, pursuant to the terms of this agreement, in a manner that is mutually acceptable with the duly constituted and acting business official of the School Town of Highland;

Section 4. That the governing boards of the participating entities may be convened as a joint board, or may act as a joint board at separate meetings of the respective governing bodies of the participating entities in which the entities concur;

Section 5. That the governing boards of the participating entities may create a committee comprised of representatives from both participating entities or may designate a single individual from each of the participating entities, which may perform such administrative ministerial duties as the joint board may direct and the agreement may provide;

Section 6. That the President of the Highland Town Council and the Clerk-Treasurer are hereby authorized to execute the joint Interlocal Governmental Agreement with their signatures and any additional documents in order to implement the agreement;

Section 7. That this agreement shall be effective as indicated in and pursuant to its provisions, after the agreement has been authorized and approved by each of the participating entities, evidenced by passage and adoption of a similar Resolution all pursuant to I.C. 36-1-7-2;

Section 8. That upon its approval, this agreement repeals the agreements governing the school resource officer program, the first adopted January 17, 1997 and its succeeding agreements;

Section 9. That before this agreement takes effect, it must be recorded with the Office of the Lake County Recorder. No later than sixty (60) days after it takes effect and is recorded, the agreement must be filed with the Office of the State Board of Accounts for audit purposes, all pursuant to I.C. 36-1-7-6.

Duly Adopted by the Town Council of the Town of Highland, Lake County, Indiana, this 14th day of September 2020. Having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

/s/Mark J. Schocke, President (IC 36-5-2-10)

Attest:

/s Michael W. Griffin, IAMC/MMC/CPFA/ACPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

INTERGOVERNMENTAL AGREEMENT

This Interlocal Governmental Agreement made and entered into in accordance with I.C. 36-1-7 by and between the TOWN OF HIGHLAND (hereinafter called "Town") and the SCHOOL TOWN OF HIGHLAND (hereinafter called "School Town"), both municipal and corporations organized and operating under the laws of the State of Indiana.

WITNESSETH THAT:

WHEREAS, The Town desires to provide a Town of Highland Police Officer to the School Town to serve in the capacity as School Resource Officer to instruct both the G.R.E.A.T. curriculum and the Officer Friendly program, and to perform other related duties.

THEREFORE, IT IS AGREED AS FOLLOWS:

1. The Town agrees to provide to the School Town the service of one (1) Highland police officer to serve as a School Resource Officer. The purpose of the School Resource Officer will be to minimize the potential for hate crimes/bullying, alcohol and drug-related use, gang-related activities, and disruption and/or criminal behavior in and around schools, such as theft, vandalism, truancy, etc. in the most effective and efficient manner possible. Said officer, who shall remain an employee of the Town, shall provide services as presented in a School Resource Officer Job Description, a copy of which is on file with the Town and the School Town. Said job description may be amended from time to time by a written amendment to this Agreement signed by representatives of both parties.

2. In consideration of the same, the School Town agrees to pay for said services in accordance with the terms of this Agreement the amount of **\$79,953.36 for a period of 180 days** during the **2020-2021** school year. The basis for said compensation to the Town is presented as an exhibit to this agreement incorporated herein by reference. The School Town's compensation shall be paid in two (2) equal installments, as follows:

- (A) the first being due on or before December 31, 2020;
- (B) the second payment being due on or before June 30, 2021.

3. The Clerk-Treasurer of the Town shall be authorized to execute the duties of receiving payments from the School Town as described in paragraph two (2) and of disbursing and accounting for all such monies in a manner consistent with the terms of this Agreement.

4. The School Resource Officer will be assigned on a full-time basis to the School Town the equivalent of up to one hundred eighty (180) days during the school year. The School Town will only be financially responsible for the equivalent number of days actually worked by the School Resource Officer.

5. The School Resource Officer will wear clothing that will easily identify him or her as a police officer.

6. The School Resource Officer will not take personal time off when school is in session. If sick, he must notify the receptionist at the School Town Administration Center. A substitute may be assigned subject to mutual approval of the Police Chief and the School Superintendent.

7. Lunch must be eaten in a School Town cafeteria unless prior arrangements have been made with the Superintendent/designee.

8. The Town will assume all costs and responsibility of initial and ongoing training associated with the School Resource Officer position. Any vehicle or additional equipment or expenses necessary for the program shall be paid for by the Town.

9. The Town shall be responsible for selecting the police officer to serve as the School Resource Officer, subject to the consent and approval of the School Town. The School Town has final authority on the content of all instructional materials used by the School Resource Officer.

10. The administration of the terms of this Agreement shall supersede any previous Agreement and shall be accomplished through the Superintendent of the School Town or designee and the Chief of Police or designee.

11. Any other provision of this Agreement to the contrary notwithstanding this Agreement may be changed or modified only with the written consent of both parties.

12. All notices or communications provided herein shall be in writing and delivered either in person or via certified or registered United States mail, return receipt requested, and with the proper postage prepaid, addressed to the party for whom such notice or communication is intended.

13. Should any part, term, or provision of this Agreement be determined by a court of competent jurisdiction to be illegal or in conflict with any law, the validity of the remaining portion or provisions shall not be affected thereby.

14. No failure or delay in performance of the executed service Agreement by either party shall be deemed to be a breach when such failure or delay is occasioned by or due to any Act of God, strike, lockout, war, riot, epidemic, explosion, sabotage, the binding order of any court or governmental authority, or any other cause, whether of the kind enumerated above or otherwise, not within the control of the party claiming suspension, actually provided that no cause or contingency shall relieve the School Town of its obligation to make payment for the services of the School Resource Officer programs actually provided by the Town.

15. This Interlocal Agreement may be executed in several counterparts, each of which when so executed shall be deemed to be an original, and such counterparts, together, shall constitute but one and the same instrument, which shall be sufficiently evidenced by any such original counterpart.

16. Before this agreement takes effect, it must be recorded with the Office of the Lake County Recorder. No later than sixty (60) days after it takes effect and is recorded; the agreement must be filed with the Office of the State Board of Accounts for audit purposes, all pursuant to I. C.36-1-7-6.

Participant Counterpart

EFFECTIVE DATE. This agreement shall be effective after the same has been ratified by each of the participating entities by Ordinance or Resolution all pursuant to I.C.36-1-7-2.

IN WITNESS WHEREOF, the parties have caused this Interlocal Agreement to be executed in their names and on their behalf as of the date first written above.

TOWN OF HIGHLAND, INDIANA
3333 Ridge Road, Highland, Indiana 46322

Through its Town Council

By: _____
Mark J. Schocke, Town Council President

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/ACPFIM/CMO
Clerk-Treasurer

Participant Execution Date: _____

Approved as to Legality and Form:

John P. Reed, Attorney

Participant Counterpart

EFFECTIVE DATE. This agreement shall be effective after the same has been ratified by each of the participating entities by Ordinance or Resolution all pursuant to I.C. 36-1-7-2.

IN WITNESS WHEREOF, the parties have caused this Interlocal Agreement to be executed in their names and on their behalf as of the date first written above.

SCHOOL TOWN OF HIGHLAND, INDIANA
9145 Kennedy Avenue, Highland, Indiana 46322

Through its Board of Trustees

By: _____
Luann Jurczak, President

Attest:

Carol Green-Fraley, Secretary

Participant Execution Date: _____

Approved as to Legality and Form:

Rhett L. Tauber, Attorney

**Assumed Cost for School Resource Officer
2020-2021
Exhibit**

	2020	2021
Salary		
Base Salary 1st Class Patrol Officer	\$65,846.79 •	\$63,408.02
Assigned officer's longevity	\$1,601.60	\$1,705.60 #
One Time Pay Premium		
	67,448.39	65,113.62
Subtotal:		
• 27 pay days in 2020		
Benefits		
Medical Insurance (Family coverage)	\$27,738.60	\$30,512.46 **
Employer Contribution to Health Savings Account	\$2,892.00	\$2,892.00
Dental Insurance	\$1,357.08	\$1,492.80 **
Life Insurance (.186 per \$1000 of gross payroll, up to \$50k)	\$111.60	\$122.76 **
Dependent life insurance coverage (\$1.50/mo)	\$18.00	\$18.00
Medicare	\$978.00	\$944.15
Employer Contribution to PERF	\$13,609.59 •	\$13,076.98
Workers Compensation Insurance (2.00/\$100 salary)	\$1,348.97	\$1,302.27
Law Enforcement Liability Insurance (no discrete premium)		
	Subtotal Benefits:	Subtotal Benefits:
	\$48,053.84	\$50,361.42
	Grand Total:	Grand Total:
	\$115,502.23	\$115,475.04

Instruction Days: 180
School Year Days: 260

	2020	2021
	<i>Daily rate based upon 260 days</i>	
** Assumes a 10% increase	\$ 444.24	\$ 444.13
	First Semester	Second Semester

School Compensation for 2020-2021 School Year:

FIRST SEMESTER: 2020 Days Instruction in School = 87 based upon school calendar		
<i>Daily rate: =(Total Salary for Year/260)</i>	\$ 444.24	Semester 1: \$ 38,648.82
SECOND SEMESTER: 2021 Days Students are in School = 93		
<i>Daily rate: =(Total Salary for Year/260)</i>	\$ 444.13	Semester 2: \$ 41,304.53
*** PERF PUBLIC SAFETY Employer is 17.5%	School Total:	\$ 79,953.36
1 the 1st Class Patrol Officer plus 20 years longevity		
1st Installment Due by December 31, 2020:		\$ 39,976.68
2nd Installment Due by June 30, 2021:		\$ 39,976.68

- 3. Resolution No. 2020-42:** An Exigent Resolution Providing For The Transfer Of Appropriation Balances From And Among Major Budget Classifications In The Public Safety Local Income Tax Fund As Requested By The Proper Officer And Forwarded To The Town Council For Its Action Pursuant To I.C. 6-1.1-18-6.

Councilor Herak moved the passage and adoption of Resolution No. 2020-42. Councilor Sheeman seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

**TOWN OF HIGHLAND
APPROPRIATION TRANSFER RESOLUTION
RESOLUTION NO. 2020-42**

AN EXIGENT RESOLUTION PROVIDING for the TRANSFER of APPROPRIATION BALANCES from and AMONG MAJOR BUDGET CLASSIFICATIONS in the PUBLIC SAFETY LOCAL INCOME TAX FUND as REQUESTED BY THE PROPER OFFICER AND FORWARDED to the TOWN COUNCIL for its ACTION PURSUANT TO I.C. 6-1.1-18-6.

WHEREAS, It has been determined that certain exigent conditions have developed since adoption of the original budget and it is now necessary to transfer certain appropriations into different categories than were initially appropriated for the various functions of the **Public Safety Local Income Tax Fund**;

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Highland, Lake County, Indiana as follows:

Section 1. That for the expenses of said municipality, the following appropriations are hereby transferred and set apart out of the funds hereinafter named for the purposes specified, subject to the laws governing the same, such sums herein transferred unless otherwise stipulated by law;

Section 2. That it has been shown that certain existing unobligated appropriations of the **Public Safety Local Income Tax Fund**, which are not needed at this time for the purposes for which originally appropriated, and may be transferred to a category of appropriation in order to satisfy an existing need, as follows:

PUBLIC SAFETY LOCAL INCOME TAX FUND

Reduce Account:		
249-0000-43046	TRAFFIC CONTROL DEVICE	<u>\$ 15,677.00</u>
	<i>Total 400 Series Reductions:</i>	<u>\$ 15,677.00</u>

Increase Account:		
249-0000-22004	POLICE EQUIPMENT	<u>\$ 15,677.00</u>
	<i>Total 200 Series Increases:</i>	<u>\$ 15,677.00</u>

Total of Fund Decreases:		\$ 15,677.00
Total of Fund Increases:		\$ 15,677.00

DULY RESOLVED and ADOPTED this 14th Day of September 2020 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

/s/ Mark J. Schocke, President (IC 36-5-2-10)

Attest:

/s/ Michael W. Griffin, IAMC/MMC/CPFA/ACPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

4. **Resolution No. 2020-44:** A Resolution Of The Town Council Of The Town Of Highland, Indiana, Approving The Issuance Of Bonds By The Town Of Highland Sanitary District And The Appropriation Of The Proceeds Thereof, And Addressing Other Matters Related Thereto.

Councilor Herak moved the passage and adoption of Resolution No. 2020-44. Councilor Zemen seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

RESOLUTION NO. 2020-44

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HIGHLAND, INDIANA,
APPROVING THE ISSUANCE OF BONDS BY THE TOWN OF HIGHLAND SANITARY
DISTRICT AND THE APPROPRIATION OF THE PROCEEDS THEREOF, AND ADDRESSING
OTHER MATTERS RELATED THERETO**

WHEREAS, The Board of Sanitary Commissioners (the "Board") of the Sanitary District of the Town of Highland, Indiana (the "District") proposes to issue bonds pursuant to IC 36-9-25, as amended (the "Bonds"), for the purpose of refunding the Sanitary District of the Town of Highland, Indiana Sanitary District Build America Bonds (Direct Pay to Issuer), Series 2009B, issued on August 18, 2009, and the Sanitary District of the Town of Highland, Indiana Sanitary District Taxable Build America Bonds, Series 2010 (Direct Pay Option), issued on September 28, 2010, and to pay the expenses incurred in connection with or on account of the issuance of the Bonds (collectively, the "Refundings"); and

WHEREAS, The Town Council of the Town of Highland, Indiana (the "Town Council"), as the fiscal body and the legislative body of the Town of Highland, Indiana, now desires to approve the issuance of the Bonds and the appropriation of the proceeds thereof (the "Additional Appropriation"),
NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF HIGHLAND, INDIANA, as follows:

Section 1. Approval of Bonds. The Town Council hereby approves the issuance by the District of not to exceed Five Million Dollars (\$5,000,000) in aggregate principal amount of its Bonds to provide for the Refundings

and the Additional Appropriation of the proceeds of the Bonds and any investment earnings thereon for such respective purposes. The interest rate on the Bonds to be issued by the District shall not exceed four percent (4.0%) per annum. The final maturity date of the Bonds shall not be later than February 1, 2029. The Bonds may be subject to redemption prior to maturity on terms determined by the Board prior to the sale of the Bonds, with the advice of the Board's financial advisor. The Bonds shall be payable from a special tax levy of the District;

Section 2. Authorization of Other Actions. The President of the Town Council, any member of the Town Council, and the Clerk-Treasurer of the Town, and any other officer, employee or agent of the Town, is hereby authorized and directed, for and on behalf of the Town, to execute and deliver any contract, agreement, certificate, instrument or other document and to take any action as such person determines to be necessary or appropriate to accomplish the purposes of this Resolution, such determination to be conclusively evidenced by such person's execution of such contract, agreement, certificate, instrument or other document or such person's taking of such action;

Section 3. Effective Date. This Resolution shall be in full force and effect from and after its passage by the Town Council as required by law.

DULY RESOLVED and ADOPTED this 14th Day of September 2020, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

/s/ Mark J. Schocke, President (IC 36-5-2-10)

Attest:

/s/ Michael W. Griffin, IAMC/MMC/CPFA/ACPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

- 5. Resolution No. 2020-45:** A Resolution of the Town Council of the Town of Highland, Lake County, Indiana, Approving the Refunding of Outstanding Debt issued by or on behalf of the Highland Parks and Recreation District.

Councilor Herak moved the passage and adoption of Resolution No. 2020-45. Councilor Sheeman seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

**TOWN OF HIGHLAND
RESOLUTION NO. 2020-45**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HIGHLAND, LAKE COUNTY, INDIANA,
APPROVING THE REFUNDING OF OUTSTANDING DEBT ISSUED BY OR ON BEHALF OF THE HIGHLAND PARKS
AND RECREATION DISTRICT**

WHEREAS, The Town of Highland, Lake County, Indiana (the "Town"), acting by and through the Highland Board of Parks and Recreation (the "Board"), executed a Lease Agreement bearing the date of May 20, 2010, as amended (the "Lease"), between the Lincoln Center Building Corp. (the "Building Corporation"), as Lessor, and the Town, as Lessee;

WHEREAS, The Building Corporation has outstanding its Taxable Ad Valorem Property Tax First Mortgage Bonds, Series 2010 (Build America Bonds - Direct Payment Option) (the "2010 Bonds") issued for and on behalf of the Highland Parks and Recreation District (the "District") payable from the Lease which payments are made from ad valorem property taxes levied against all taxable property in the District;

WHEREAS, The Board has determined that it is in the best interests of the District to direct the Building Corporation to take all steps necessary to prepare for the refunding of the 2010 Bonds which will result in an interest cost savings over the life of the issue and reduced debt service payments; and

WHEREAS, Pursuant to INDIANA CODE 6-1.1-17-20.5, the District may not issue obligations payable from property taxes unless it obtains the approval of the Highland Town Council (the "**Council**"),

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF HIGHLAND, LAKE COUNTY, INDIANA:

Section 1. That the Council hereby approves the issuance by the *Lincoln Community Center Building Corporation* of its Ad Valorem Property Tax First Mortgage Refunding Bonds, Series 2020 to refund the 2010 Bonds;

Section 2. That the Park District is authorized to enter into an amendment to Lease which shall reflect the reduced lease rental payments to reflect the debt service savings;

Section 3. That the refunding obligations shall be sold to the financial institution through negotiation in the principal amount of not to exceed \$6,500,000, bearing interest at the rate not to exceed 5.00% per annum, which interest shall be payable beginning February 1, 2021, and semi-annually thereafter on February 1 and August 1 in each year (the exact rate and maturity schedule to be determined through negotiation and upon the advice of the District's municipal advisor);

Section 4. The Bonds shall be fully registered and shall be paid in installments on February 1 and August 1 over a period ending not later than the term of the 2010 Bonds.

DULY ADOPTED and RESOLVED this 14th Day of September 2020 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

/s/Mark J. Schocke, President (IC 36-5-2-10)

Attest:

/s/Michael W. Griffin, IAMC/MMC/CPFA/ACPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

- 6. Works Board Order No. 2020-40:** An Order Approving and Authorizing the Metropolitan Police Chief to enter into a purchase agreement with Vigilant Solutions, LLC, through the State of California to purchase Intersection Hi-Def Video Camera system equipment and accessories, and finding it a Special Purchase pursuant to I.C. 5-22 and Section 3.05 of the Highland Municipal Code.

Councilor Herak moved the passage and adoption of Works Board Order No. 2020-40. Councilor Sheeman seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

**Town of Highland
Board of Works
Order of the Works Board 2020-40**

An Order Approving and Authorizing the Metropolitan Police Chief to enter into a purchase agreement with Vigilant Solutions, LLC, through the State of California to purchase Intersection Hi-Def Video Camera system equipment and accessories, and finding it a Special Purchase pursuant to I.C. 5-22 and Section 3.05 of the Highland Municipal Code.

Whereas, The Town of Highland Metropolitan Police Department, as part of its public duties, has a responsibility for patrol, public safety and protection of life and property throughout the Town of Highland and, from time to time, it is necessary to purchase and or lease materials and supplies in order to carry out the functions of the department; and

Whereas, The Metropolitan Police Chief has determined a need to replace certain equipment and supplies and has further determined the purchase price will be below \$50,000.00 and an opportunity has arisen which enables the department to purchase additional Intersection Hi-Def Video Camera system equipment and accessories;

Whereas, the Metropolitan Police Chief has identified Vigilant Systems, LLC., through the State of California to be a desirable source vendor for the purchase of equipment and supplies at a price of \$25,160.00 for LPR camera system for Ramblewood and Indianapolis Blvd;

Whereas, The price for the purchase exceeds \$15,000.00 and, pursuant to Section 3.05.040 (E) as well as Section 3.05.050 (B)(2) of the Highland Municipal Code, such purchase requires the express approval of the purchasing agency;

Whereas, The Town Council as the Works Board of the Municipality, pursuant to Section 3.05.030 (A)(2) of the Highland Municipal Code serves as the purchasing agency for the Metropolitan Police Department;

Whereas, The Metropolitan Police Chief, pursuant to Section 3.05.050 (D)(2) of the Highland Municipal Code, serves as the Purchasing Agent for the Metropolitan Police Department;

Whereas, The Purchasing Agent, believes that this purchase qualifies as a special purchase to be made without soliciting bids or proposals because in this instance (1) the compatibility of equipment, accessories or replacement parts is a substantial consideration in this purchase and (2) only one source meets the department's reasonable requirements, which is the source recommended for this purchase;

Whereas, The Purchasing Agent, for the rationale stated herein, elects to purchase without resort to soliciting quotes or bids pursuant to Section 3.05.065 (I) of the Highland Municipal Code;

Whereas, The purchase of the Intersection Hi-Def Video Camera system equipment and accessories will be supported by appropriations in the LOIT Fund; and,

Whereas, The Town Council now desires to approve and authorize the Police Chief to complete the purchase pursuant to the terms and stated herein,

Now, Therefore Be It Ordered by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board of Municipality:

Section 1. That the Works Board hereby authorizes and approves the purchase from Vigilant Solutions, LLC, 1152 Stealth Street, Livermore, CA, for the purchase of the Intersection Hi-Def Video Camera system equipment and accessories in the amount of **\$19,060.00** ~~\$25,160.00~~ pursuant to IC 5-22 and Section 3.05.060 (G) (2) of the Highland Municipal Code;

Section 2. That the Works Board hereby finds and determines the following:
(A) That Vigilant Solutions, LLC, 1152 Stealth Street, Livermore, CA is the sole source to meet the police departments reasonable requirements for this purchase; and,
(B) That for this purchase, the compatibility of equipment, accessories or replacement parts is a substantial consideration; and,
(C) That for the foregoing rationale, this purchase qualifies as a special purchase pursuant to IC 5-22-10 et seq. and HMC Section 3.05.065 (I);

Section 3. That the Metropolitan Police Chief is now authorized and approved to execute the purchase agreement and any additional documents in order to implement this purchase and then file these documents as financial materials with the Office of the Clerk-Treasurer, pursuant to IC 36-5-4-14.

Be It So Ordered.

DULY, PASSED, ADOPTED AND ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 14th day of September 2020 having passed by a vote of 5 in favor and 0 opposed.

**BOARD OF WORKS OF THE TOWN OF
HIGHLAND, INDIANA**

/s/Mark J. Schocke, President (IC 36-5-2-10)

Attest:

/s/Michael W. Griffin, IAMC/MMC/CPFA/ACPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1;IC 36-5-6-5)

7. **Works Board Order No. 2020-41: An Order Approving and Authorizing the Highland Fire Chief to enter into a purchase agreement to purchase a Ward No Smoke System, pursuant to I.C. 5-22 and Chapter 3.05 of the Highland Municipal Code called Purchasing.**

Councilor Zemen moved the passage and adoption of Works Board Order No. 2020-41. Councilor Sheeman seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

Town of Highland
Board of Works
Order of the Works Board 2020-41

An Order Approving and Authorizing the Highland Fire Chief to enter into a purchase agreement to purchase a Ward No Smoke System, pursuant to I.C. 5-22 and Chapter 3.05 of the Highland Municipal Code called Purchasing.

Whereas, The Town of Highland Fire Department, as part of its public duties, has a responsibility for fire suppression, fire prevention, public safety and protection of life and property throughout the Town of Highland and, from time to time, it is necessary to purchase and or lease materials and supplies in order to carry out the functions of the department; and

Whereas, The Highland Fire Chief has determined a need to replace certain equipment and supplies, specifically a *specialized fire house exhaust system* and has further determined the purchase price will be at least \$50,000.00 and not in excess of \$150,000; pursuant to HMC Section 3.05.060(F);

Whereas, Pursuant to HMC Section 3.05.060(F), the Highland Fire Chief solicited from at least three (3) vendors known to deal in the lines or classes of supplies to be purchased, by mailing an invitation to quote at least seven days before the time fixed for receiving quotes, those quotes being listed as follows:

Ward No Smoke	\$69,912.00
Nederman	\$87,430.00
Magne Grip	\$94,000.00

Whereas, The Highland Fire Chief further believes that these installations include labor and unforeseen costs, he is further asking that a contingency for installation include an additional 10% to be identified discretely in the fund and appropriation, which are already identified and budgeted, rendering the following:

Ward No Smoke	\$69,912.00 + \$ 6,991 =	\$ 76,903.00
Nederman	\$87,430.00 + \$ 8,743 =	\$ 96,173.00
Magne Grip	\$94,000.00 + \$9,400 =	\$103, 400.00

Whereas, The Highland Fire Chief believes he has identified from that process a satisfactory quote from a responsible and responsive offeror, that being the quote from *Ward No Smoke* in the quote amount of \$69,912 plus the Chief's recommended contingency of \$6,991;

Whereas, The price for the purchase exceeds \$15,000.00 and, pursuant to Section 3.05.040 (E) as well as Section 3.05.050 (B)(2) of the Highland Municipal Code, such purchase requires the express approval of the purchasing agency;

Whereas, The Town Council as the Works Board of the Municipality, pursuant to Section 3.05.030 (A)(3) of the Highland Municipal Code serves as the purchasing agency for the Highland Fire Department;

Whereas, The Highland Fire Chief, pursuant to Section 3.05.050 (D)(4) of the Highland Municipal Code, serves as the purchasing agent for the Highland Fire Department;

Whereas, The purchase of the *special cancer preventing exhaust system equipment* and accessories will be supported by budgeted appropriations already in place in the Public Safety Local Income Tax (LIT) Fund; and,

Whereas, The Town Council now desires to approve and authorize the Fire Chief to complete the purchase pursuant to the terms and stated herein,

Now, Therefore Be It Ordered by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board of Municipality:

Section 1. That the Works Board hereby authorizes and approves the purchase from *Ward No Smoke* for the purchase of the *special cancer preventing exhaust system equipment* and accessories in the amount of **\$69,912 plus a further authorized contingency amount of \$6,991**, pursuant to IC 5-22 and Section 3.05.060 (F) (3) of the Highland Municipal Code;

Section 2. That the Works Board hereby finds and determines that the quote from *Ward No Smoke*, even allowing for the added contingency, is the *lowest responsible, and responsive offeror* from the quotes submitted;

Section 3. That the Fire Chief is now authorized and approved to execute the purchase agreement and any additional documents in order to implement this purchase and then file these documents as financial materials with the Office of the Clerk-Treasurer, pursuant to IC 36-5-4-14.

Be It So Ordered.

DULY, PASSED, ADOPTED AND ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 14th day of September 2020 having passed by a vote of 5 in favor and 0 opposed.

**BOARD OF WORKS OF THE TOWN OF
HIGHLAND, INDIANA**

/s/ Mark J. Schocke, President (IC 36-5-2-10)

Attest:

/s/ Michael W. Griffin, IAMC/MMC/CPFA/ACPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1;IC 36-5-6-5)

8. **Commendation Letter for Day Off and Signature Authorization.** Action to approve Letter of Commendation for Exemplary Public service leading to the award of a single paid day off for several workers in the **Metropolitan Police Department**. Pursuant to **Section 4.13** of the Compensation and Benefits Ordinance, for the day off to be effective requires the approval of the board of jurisdiction and the Town Council. *The Town Board of Metropolitan Police Commissioners has granted preliminary approval to a letter of commendation regarding Detective Lee Natelborg who enlisted the Cold case team to resolve an older case from being treated as homicide to an accidental death.*

Councilor Zemen moved to approve the letter of commendation for Detective Lee Natelborg and to authorize the members of the Town Council to sign individually. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The letter of commendation and the authorization for councilors to sign individually was approved.

9. **Instruction to the Community Events Commission regarding the possible Special Event and other events for Fall in the Town of Highland.** *At its meetings convened on August 10 and August 17, 2020, the Town Council received a briefing on a possible special event, its status and the current Governor's staging in consequence of the COVID 19 Pandemic.*

Under general consent, a colloquy between and among the Town Council members occurred regarding the Fall Event planned at Main Square for September 26, the "Trunk or Treat" event and "Trick or Treat." The colloquy included a discussion of the safety concerns regarding a large single gathering versus those with smaller groups where social separation, mask wearing and related COVID 19 precautions could be observed.

Councilor Sheeman moved to instruct the Community Events Commission to *cancel* the Fall Event proposed for September 26, to further instruct it to proceed with the "Trunk or Treat" event, and to allow Trick or Treat from 5:00 p.m. to 7:00 p.m. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The instructions as noted were approved.

10. **Action to approve appointment or employment of full-time employee, pursuant to Section §3.03 of the Compensation and Benefits Ordinance.** *The Public Works Director recommends the following:*

(A) *The hiring of Joe Anderson, to the full-time position of Utility Worker B in Public Works Department (Agency) at a rate of pay of \$12.80 per hour. This will not increase the full-time workforce greater than the authorized work force strength.*

Councilor Black moved to authorize the full-time hire of Joe Anderson to the position of Utility Worker B at the stated rate of pay. Councilor Zemen seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The hiring was approved.

11. **Authorizing the proper officer to publish legal notice of a public hearing:** Public Hearing to consider additional appropriations in the amount of \$3,915.00 in the Gaming Revenue Sharing Fund and in the amount of \$15,677.00 in the Public Safety Local Income Tax Fund.

Councilor Herak moved to authorize the proper officer to public legal notice of a public hearing as indicated. Councilor Sheeman seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The publication was authorized.

NEW BUSINESS

Motion to Reconsider. Councilor Black, pursuant to HMC Section 2.05.300 (A) moved to reconsider the vote on Plan Commission Docket 2020-01 and Ordinance No. 1720 taken at the special meeting of August 31, 2020.

At this time, the Town Council President, temporarily ceded the chair to Councilor Zemen as Acting President (Vice President). Councilor Schocke then seconded the motion.

It was further noted that HMC Section 2.05.300 (C), required that the motion was only in order when made by a member who voted on the prevailing side of the issue. It was still further noted that Councilor Black and the Town Council President did not vote on the prevailing side. The Acting President ruled the matter out of order.

The Town Council President reassumed the chair. The Town Council President then invited any of the councilors who voted on the prevailing side if they wished to make a motion to reconsider

Remarks from the Town Council:
(For the Good of the Order)

Councilor Bernie Zemen: • *Fire Department, Liaison* • *Liaison to the Plan Commission*

Councilor Zemen commended the workforce for its second month of no workplace injuries and incidents.

Councilor Zemen acknowledged the Highland Fire Chief who thanked the Town Council for authorizing the purchase of the exhaust system. The Fire Chief further offered a cursory survey of activity of the Fire Department.

- **Councilor Mark Herak:** • *Budget and Finance Chair* • *Liaison to the Advisory Board of Zoning Appeals* • *Town Board of Metropolitan Police Commissioners, Liaison.*

Councilor Herak acknowledged the importance of getting Flu Vaccine for the season.

Councilor Herak further noted the need to present some of the gifts and encomia for the recently retired Public Works Director, Mr. Bach. It was noted that Mr. Bach had indicated he would be available for the meeting of September 28, 2020.

Councilor Herak acknowledged the Police Chief who thanked the Town Council for authorizing its purchase of video equipment.

Councilor Herak acknowledged the Public Works Director, who noted the need for the Public Works Facility to also obtain a special exhaust system similar to what was authorized for the Fire Department. The Fire Chief indicated that he would assist the Public Works Director.

Councilor Herak acknowledged the Building Commissioner, who reported on matters pending before the Advisory Board of Zoning Appeals.

- **Councilor Tom Black:** *Liaison to the Board of Sanitary Commissioners* • *Liaison to the Board of Waterworks Directors.*

Councilor Black commended the public workforce for its incident free safety report.

Councilor Black inquired regarding the dates for a Fall clean-up. The Public Works Director stated he would report back.

- **Councilor Roger Sheeman:** *Chamber of Commerce Liaison • Liaison to the Community Events Commission • Information Technology Liaison • and Redevelopment Commission Liaison.*

Councilor Sheeman reported on the progress of the parking lot/depot redevelopment project located at the southwest corner of Highway Avenue and Kennedy Avenue.

Councilor Sheeman also expressed appreciation for the persons who contacted him about matters of public import.

- **Councilor President Mark Schocke:** *Town Executive • Chair of the Board of Police Pension Trustees • Park and Recreation Liaison.*

The Town Council President acknowledged the Superintendent of Parks and Recreations who reported on hosting several tournaments. He noted work on the quinquennial plan was still underway. He also noted the passing of the spouse of the longtime department art instructor Fred Holly.

Town Council President Schocke further noted the start of Youth Soccer. The Town Council President also commended the municipal workforce for its incident free month.

The Town Council President also noted the recent public demonstration regarding the recent rezoning of the land which is the subject of a proposed senior housing development, north of Strack and Van Til's between Cline Avenue and Kleinman Road. The Town Council President noted his participation and he further thanked the police department for its presence and the peaceful nature of the gathering.

Comments from Visitors or Residents: (Electronically)

1. Larry Kondrat, Highland, referring to the Special meeting of August 31, 2020, asked for clarification regarding its rationale, what emergency was identified for it being called, and asked about the muting of certain persons including during that meeting. Mr. Kondrat also asserted that the meeting was illegal.

Mr. Kondrat also expressed disappointment that the Clerk-Treasurer did not participate in the recent public demonstration regarding the recent rezoning of the land which is the subject of a proposed senior housing development, north of Strack and Van Til's between Cline Avenue and Kleinman Road.

The Town Attorney noted that no emergency is needed to call a special meeting.

A colloquy ensued between Mr. Kondrat, the Town Council President, Councilor Herak and Councilor Sheeman regarding the composition of the notice of the special meeting, its legality, whether amendments may be in order when considering favorably recommended zoning maps changes, the timetable for the Town Council to consider matters set forth in the plan commission law and the language in Section 4 of the Ordinance No. 1720 which included a statement regarding that an "emergency exists" for the immediate taking effect of the ordinance.

It was noted that the language represented a term of art long used based upon rules regarding promulgation of ordinances that allowed alacrity its effectiveness.

2. Rock Volbrecht, Highland, noted that when he was a member of the Highland School Town Board of Trustees, he was a favorable vote that established the first agreement to support the School Resource Officer program at a meeting convened September 28, 2004.

3. Janelle Scheeringa, from the Scheeringa Farms, thanked the persons who have expressed their support for the family regarding the proposed development.
4. Harry Crouch, Highland, sought additional information regarding the proposed development. The Town Council President invited Mr. Crouch to contact him and he would assist him.
5. Aaron Straker, Highland, noting that he was an elected official with his union, stated that elected officials should act as the people desire when the people express their wishes.

Payment of Accounts Payable Vouchers. There being no further comments from the public, Councilor Zemen moved to allow the vendors accounts payable vouchers as filed on the pending accounts payable docket, covering the period August 25, 2020 through September 14, 2020 as well as to ratify the payroll docket for the payday of August 28, 2020. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The accounts payable vouchers for the vendor docket were allowed, payroll dockets and other payments allowed in advance were ratified, and for all remaining invoices, the Clerk-Treasurer was authorized to make payment.

Vendors Accounts Payable Docket:

General Fund, \$502,797.48; Motor Vehicle Highway and Street (MVH) Fund, \$38,038.40; Local Road and Streets Fund, \$20,744.76; Law Enforcement Continuing Education and Training and Supply Fund, \$1,296.50; Hazardous Materials Response and Supply Fund, \$1,037.73; Flexible Spending Accounts Agency Fund, \$619.20; Insurance Premium Agency Fund, \$195,302.07; Gasoline Payments Agency Fund, \$10,548.30; Information Communications Technology Fund, \$11,138.94; Special Events Non Reverting Fund, \$38.96; Rainy Day Fund, \$50,000.00; Police Pension Fund, \$69,229.50; Municipal Cumulative Capital Development Fund, \$43,473.00; Traffic Violations and Law Enforcement Agency Fund, \$2,000.00; Gaming Revenue Sharing Fund, \$9,038.67; Public Safety Local Income Tax Fund, \$45,971.24; Total: 1,001,274.75.

Payroll Docket for payday of August 28, 2020:

Council, Boards and Commissions, \$8,647.31; Office of Clerk-Treasurer, \$16,480.99; Building and Inspection Department, \$8,964.76; Metropolitan Police Department, \$113,865.24; Fire Department, \$3,669.76; Public Works Department (Agency), \$62,973.40 and 1925 Police Pension Plan Pension Fund, \$69,121.85; Total Payroll: \$283,723.31

Adjournment of Plenary Meeting. Councilor Black moved that the plenary meeting electronically convened be adjourned. Councilor Sheeman seconded. Upon a roll call vote, there were five affirmatives, and no negatives. The regular plenary meeting, convened electronically, of the Town Council for Monday, September 14, 2020 was adjourned at 8:25 O'clock p.m.

Michael W. Griffin, IAMC/MMC/CPFA/ACPFIM/CMO
Clerk-Treasurer

Approved by the Town Council at its meeting of _____, 2020.

Michael W. Griffin, IAMC/MMC/CPFA/ACPFIM/CMO
Clerk-Treasurer